

KAYE SCHOLER LLP

Michael Malecek (Cal. Bar No. 171034)
michael.malecek@kayescholer.com
KAYE SCHOLER LLP
Two Palo Alto Square
Suite 400
3000 El Camino Real
Palo Alto, CA 94306-2112
(650) 319-4500 (telephone)
(650) 319-4700 (facsimile)

Robert Laurenzi (*Pro Hac Vice*)
robert.laurenzi@kayescholer.com
Shyam Palaiyanur (*Pro Hac Vice*)
shyam.palaiyanur@kayescholer.com
KAYE SCHOLER LLP
250 W. 55th Street
New York, New York 10019-9710
(212) 836-8000 (telephone)
(212) 836-8689 (facsimile)

Attorneys for Defendant
DISH Network L.L.C.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

William Grecia,

Plaintiff,

v.

DISH Network L.L.C.

Defendant.

Case No. 4:16-cv-00588-YGR

**Notice and ~~Proposed~~ Order Regarding Entry
of Stay Pursuant to Filing of IPR;
Order Setting Compliance Hearing**

Defendant DISH Network L.L.C. (“DISH”) hereby advises the Court and Plaintiff William Grecia of its intent to file a petition for *inter partes* review with the Patent Trial and Appeal Board challenging the validity of the sole patent-in-suit in this litigation (U.S. Patent No. 8,887,308) on or before July 31, 2016.

Pursuant to the Court's Bench Order of June 6, 2016, and the prior agreement of the parties, DISH respectfully requests that the Court enter a stay of this litigation pending the conclusion of the *inter partes* review (including exhaustion of any appeal rights by both parties). DISH understands that as a result of the stay based on its anticipated IPR filing, it will be estopped from making invalidity arguments to the extent required by 35 U.S.C. section 315(e)(2).

Date: June 10, 2016

Respectfully submitted,

/s/ Michael Malecek
Michael Malecek (Cal. Bar No. 171034)
michael.malecek@kayescholer.com
KAYE SCHOLER LLP
Two Palo Alto Square
Suite 400
3000 El Camino Real
Palo Alto, CA 94306-2112
(650) 319-4500 (telephone)
(650) 319-4700 (facsimile)
Attorney for Defendant
DISH Network L.L.C.

KAYE SCHOLER^{LLP}

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2 The Court further **SETS** a compliance hearing regarding the status of defendant's petition
3 for *inter partes* review with the Patent Trial and Appeal Board to be held on **Friday, December**
4 **16, 2016** on the Court's **9:01 a.m.** calendar, in the Federal Courthouse, 1301 Clay Street,
5 Oakland, California, Courtroom 1.

6 By no later than December 9, 2016, the parties shall file either (a) a status update on
7 defendant's petition for *inter partes* review with the Patent Trial and Appeal Board; or (b) a one-
8 page joint statement setting forth an explanation for their failure to comply. If compliance is
9 complete, the parties need not appear and the compliance hearing will be taken off calendar.

10 Telephonic appearances will be allowed if the parties have submitted a joint statement in a
11 timely fashion. Failure to do so may result in sanctions.

12 Dated: June 13, 2016

13 
14 YVONNE GONZALEZ ROGERS
15 UNITED STATES DISTRICT COURT JUDGE